

### **REMARKS**

Claims 38, 40, 43, 45, 47, 51, 54, 63, 68, 113-115, 118, 120, 122, 126, 129, 137, 142, and 151-152 constitute the pending claims in the present application. Applicants respectfully request reconsideration in view of the following remarks. Issues raised by the Examiner will be addressed below in the order they appear in the prior Office Action.

1-2. Claims 38, 40, 43, 45, 47, 51, 54, 63, 68, 113-115, 118, 120, 122, 126, 129, 137, 142, and 151-152 are rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 19 and 25 and in view of claim 1 of US Patent No. 6,719,449. To expedite prosecution, Applicants enclose herewith a terminal disclaimer. Applicants' submission of a terminal disclaimer obviates the rejection. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

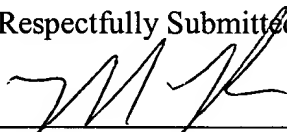
### CONCLUSION

In view of the foregoing remarks, Applicants submit that the pending claims are in condition for allowance. Early and favorable reconsideration is respectfully solicited. The Examiner may address any questions raised by this submission to the undersigned at 617-951-7000. Should an extension of time be required, Applicants hereby petition for same and request that the extension fee and any other fee required for timely consideration of this submission be charged to **Deposit Account No. 18-1945, under Order No. CVRS-P02-001.**

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Respectfully Submitted,



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